

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF TEXAS
SAN ANTONIO DIVISION

UBENCIO ANTONIO MARTINEZ
CRUZ,

Plaintiff,

VS.

JOSHUA TERRY DYES, TRANSPORT
CORPORATION OF AMERICA, INC.,

Defendants.

SA-21-CV-00535-OLG

ORDER CANCELING VIDEO HEARING

Before the Court in the above-styled cause of action is Defendants' Motion to Quash Plaintiff's Unilateral Notice of Intention to Take the Oral and Videotaped Depositions of Lisa Gonnerman and a Corporate Representative for Transport Corporation of America, Inc., and Motion for Protective Order [#28], which was referred to the undersigned for disposition. The Court set the motion for a hearing to be held on June 17, 2022. The parties have filed a Joint Advisory [#31], indicating that they have reached an agreement on all issues giving rise to the motion.

As part of their agreement, the parties have agreed to set the depositions of the corporate representative and/or safety director on August 1 and 3, 2022, necessitating an extension of certain scheduling order deadlines. Plaintiff has filed an Unopposed Motion to Extend Discovery Deadlines [#32], requesting these extensions, which the District Court has referred for disposition. The Court will therefore cancel the discovery hearing, dismiss Defendants' motion to quash, and grant Plaintiff's motion to modify the scheduling order. The Court will enter an

Amended Scheduling Order by separate order and assign the parties a new trial date accommodating the extensions.

IT IS THEREFORE ORDERED that the hearing set for June 17, 2022, on Defendants' motion to quash is **CANCELED**.

IT IS FURTHER ORDERED that Defendants' Motion to Quash Plaintiff's Unilateral Notice of Intention to Take the Oral and Videotaped Depositions of Lisa Gonnerman and a Corporate Representative for Transport Corporation of America, Inc., and Motion for Protective Order [#28] is **DISMISSED AS MOOT**.

IT IS FURTHER ORDERED that Plaintiff's Unopposed Motion to Extend Discovery Deadlines [#32] is **GRANTED**.

SIGNED this 16th day of June, 2022.



ELIZABETH S. ("BETSY") CHESTNEY
UNITED STATES MAGISTRATE JUDGE